

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

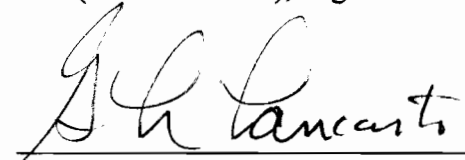
PPG INDUSTRIES, INC.,	)	
Plaintiff,	)	
	)	
vs	)	Civil Action No. 08-46
	)	
T & T TRUCKING, INC.,	)	
Defendant and Third Party	)	
Plaintiff,	)	
	)	
vs	)	
	)	
PORTOLA MINERALS CO., INC. d/b/a	)	
BLUE MOUNTAIN MINERALS,	)	
Third Party Defendant.	)	

ORDER

AND NOW, this <sup>2<sup>nd</sup></sup> day of ~~August~~ <sup>Sept</sup>, 2008, after the plaintiff, PPG Industries, Inc.,

filed an action in the above-captioned case against the defendant, T & T Trucking, Inc., and after the defendant filed a third-party complaint against Portola Minerals Co., Inc. d/b/a Blue Mountain Minerals, and after a motion to dismiss for improper venue and lack of personal jurisdiction was submitted by the third-party defendant, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties thirteen days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the defendant and the response to those objections filed by the third-party defendant, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 32), which is adopted as the opinion of this Court,

IT IS ORDERED that the motion to dismiss third party complaint for improper venue and lack of personal jurisdiction, submitted on behalf of Third Party Defendant Portola Minerals Co., Inc. d/b/a Blue Mountain Minerals (Docket No. 24), is granted.

  
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Gary L. Lancaster  
United States District Judge